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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/618,167	07/11/2003	Eric J. Snell	1144-CON-CON-CON-03

CONFIRMATION NO. 4354

35811
 IP DEPARTMENT OF PIPER RUDNICK LLP
 3400 TWO LOGAN SQUARE
 18TH AND ARCH STREETS
 PHILADELPHIA, PA 19103

FORMALITIES LETTER



OC000000011033686

Date Mailed: 10/14/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **17 & 18** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of

a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$117** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$567** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$117**
 - **\$117** for 13 total claims over 20 .

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

Effective OCTOBER 1, 2003, Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2003 is subject to the new FY 2004 fee schedule and must be paid in the new amount.

EXAMPLES OF FEES BEING ADJUSTED

See www.uspto.gov for complete FY 2003 and FY-2004 Fee Schedules

DESCRIPTION	FY 2003	FY 2004	* Indicates fees remain at FY 2003 amount
Basic filing fee - Utility	\$750	\$770	
Basic filing fee - Utility (Small Entity)	\$375	\$385	
Independent claims in excess of three	\$84	\$86	
Independent claims in excess of three (Small Entity)	\$42	\$43	
Claims in excess of twenty	\$18	\$18*	
Claims in excess of twenty (Small Entity)	\$9	\$9*	
Multiple dependent claim	\$280	\$290	
Multiple dependent claim (Small Entity)	\$140	\$145	
Surcharge - Late filing fee	\$130	\$130	
Surcharge - Late filing fee (Small Entity)	\$65	\$65	
Design filing fee	\$330	\$340	
Design filing fee (Small Entity)	\$165	\$170	
Plant filing fee	\$520	\$530	
Plant filing fee (Small Entity)	\$260	\$265	
Reissue filing fee	\$750	\$770	
Reissue filing fee (Small Entity)	\$375	\$385	
Reissue independent claims	\$84	\$86	
Reissue independent claims (Small Entity)	\$42	\$43	
Reissue claims in excess of twenty	\$18	\$18*	
Reissue claims in excess of twenty (Small Entity)	\$9	\$9*	
Provisional application filing fee	\$160	\$160*	
Provisional application filing fee (Small Entity)	\$80	\$80*	
Surcharge - Late provisional filing fee	\$50	\$50*	
Surcharge - Late provisional filing fee (Small Entity)	\$25	\$25*	
Non-English Specification	\$130	\$130*	
Extension - First month	\$110	\$110*	
Extension - First month (Small Entity)	\$55	\$55*	
Extension - Second month	\$410	\$420	
Extension - Second month (Small Entity)	\$205	\$210	
Extension - Third month	\$930	\$950	
Extension - Third month (Small Entity)	\$465	\$475	
Extension - Fourth month	\$1,450	\$1,480	
Extension - Fourth month (Small Entity)	\$725	\$740	
Extension - Fifth month	\$1,970	\$2,010	
Extension - Fifth month (Small Entity)	\$985	\$1,005	
Petition	\$130	\$130*	
Processing returned checks	\$50	\$50*	

For further fee information, please call
(703-308-HELP)